

**W. H. and Rogene Reynolds**

**4444 W. Undine Road**

**Stockton, CA 95206**

Delta Vision

Attention: John Kirlin, Exec Director

Delta Vision Task Force

Via email: [dv\\_context@calwater.ca.gov](mailto:dv_context@calwater.ca.gov)

RE: Public Comment

Delta Vision Strategic Plan, Fourth Draft, Volume 2, Strategy Descriptions

Dear Mr. Kirlin:

Attached you will find our comments on the Delta Vision Fourth Draft Strategy (Volume 2).

To summarize our comments: we believe this "Delta Vision" is a disaster in the making for those of us who own land in the Delta.

Thank you for the opportunity to comment.

Sincerely,

W. H. and Rogene Reynolds

Cc: Governor Arnold Schwarzenegger

Senators Boxer and Feinstein

Congressman Jerry McNerney

San Joaquin County Board of Supervisors

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Goal #1: “Establish the Delta ecosystem and a reliable water supply for California as the primary, co-equal goals for sustainable management of the Delta.”

We object to this misguided goal. The Delta is more than an ecosystem. It is home to thousands of taxpaying landowners. Ecosystem restoration should be conducted under laws that protect the rights of landowners from condemnation by over-zealous entities – private and governmental.

Further, the concept that the Delta is source of water supply which is to be relied upon by non-Delta interests belies the fact that the only water which can be legally transported through the Delta is that water legally defined as SURPLUS. The only goal that makes sense for the prosperity of the Delta is to manage the surplus water supply under existing law which protects senior water rights of Delta landowners.

Strategy 2.1 “Utilize State and Federal special designation areas to reinforce the value and uniqueness of the Delta.”

We object to the tenor of this Strategy. It presupposes that the Delta land and business owners cannot continue to market the “uniqueness” of the Delta on their own. “Special designation” comes with limits on rights of Delta residents to manage their own future. It is a non-necessary layer of government. Delta residents will not prosper living under the restrictions which would inevitably come with such special designation (i.e. the “National Heritage Area”).

The Delta Protection Commission as currently structured, is a body with many members who are directly responsible to the voters of the Delta. It already has the jurisdiction and mandate to help manage the “value and uniqueness” of the Delta.

Strategy 3.1 – through 3.4: Restoring habitats, migratory corridors, promoting species recovery, restoring the estuary.

We object to these Strategies as set forth in Volume 2. The health of the Delta estuary and native species has declined because of incorrect operation of the Central Valley Project and the State Water Project. Species recovery would be enhanced if these projects were operated according to current law.

Strategy 3.5: “Achieve sufficient water quality improvements to meet drinking water, agriculture and ecosystem long-term goals.”

We object to the approach in this strategy. New layers of regulatory oversight (California Ecosystem and Water Council, CEWC, and its California Delta Ecosystem and Water Plan, CDEW) are not necessary to reach this goal. Debased water quality in the Delta is caused by two things: impaired runoff into the estuary and illegal operation of the Central Valley Project (CVP) and State Water Project (SWP). Problems with San Joaquin River and Sacramento River degradation are already being addressed under current Department of Water Resources (DWR) programs. The project operators and those draining into the Delta must comply with legal limits. If all entities were in compliance, water quality would improve.

Strategy 4.1: “Reduce urban, residential, industrial and agricultural water demand through improved water use efficiency and other means.”

This is a laudable goal. It is already being addressed by a multiplicity of DWR and SWRCB programs. No new regulatory oversight is warranted.

Strategy 4.2: “Increase regional self-sufficiency through diversifying water supply portfolios while not impacting flows into the Delta.”

This is another laudable goal already being addressed through DWR and local agencies. It is, however, a goal in contradiction with the Delta Vision adoption of an “isolated facility” as a water conveyance from the Sacramento River to the project pumps. Regional self-sufficiency south of the Delta will only be achieved if such regions manage their water supplies within the limitations of the concepts of the “common pool” and export of “surplus water” only.

Strategy 5.1: “Expand conveyance, storage and reservoir operation options to meet long-term demands in light of likely future changes in the Delta.”

While we agree that increased water storage options must be explored in several regions of California, a new governance system (CDEW) will not be any more successful in such efforts than existing governmental entities

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Further, we object to the “likely future changes” concept. Delta Vision’s anticipated changes in the Delta due to climate or earthquake hazards have been based upon unproven science. Recommendations in this Delta Vision Strategy have not been tempered by real science-based studies. The strategy is flawed for these reasons.

Strategy 5.2: “Integrate Central Valley flood management with water supply planning.”

Flood management can be achieved by the cooperation of existing Federal and State agencies. We object to the concept that Delta Vision’s extra layer of governmental control will result in better flood management.

Further, the strategy in Volume 2 (page 41 b): “The Central Valley Flood Protection Plan should immediately create a flood bypass along the lower San Joaquin River” does not recognize current flood planning along Paradise Cut (south of Stewart Tract).

Most importantly, this strategy does not address the need to avoid valuable farmland in the “identification” of flood bypass routes. The Volume 2 strategies completely ignore the economic impacts of such bypass planning to Delta landowners.

Strategies 6.1 and 6.2: “Match the level of protection provided by Delta levees and uses of land and water enabled by those levees.” “Ensure appropriate land uses in the Delta.”

We object to the Delta Vision’s egregious disregard for the self-determination of Delta landowners regarding the future of their region. Land use restrictions already emanate from the Delta Protection Commission, as well as from local County zoning ordinances. Another layer of governmental control (CDEW) would destroy whatever autonomy the region now enjoys to the detriment of Delta landowners.

Levels of levee protection should be determined by existing agencies: FEMA, ACOE, local Reclamation Districts, cities and counties. An overarching new layer of governance (CEWAC), whose membership does not include Delta landowners, cannot be expected to govern in this area to the benefit of Delta interests.

Strategy 6.3 “Achieve levels of emergency protection consistent with federal and state policies.”

This strategy is achievable through existing legal and agency mechanisms. A new overarching layer of governance (CEWAC and CDEW) are not necessary.

Strategy 7.1: “Create the California Ecosystem and Water Council replacing the existing California Bay-Delta Authority, create a new Delta Conservancy to implement ecosystem restoration projects and enhance roles of the Delta Protection Council.”

We object to the expense, redundancy and lack of practicality of this strategy. Another huge layer of governance is not what the Delta needs. The proposed makeup of the “Council” is an affront to the self-determination of Delta landowners. It flies in the face of basic American ideals of self-governance. The financing mechanisms amount to taxation without representation.

Currently, the five Delta counties with lands in the Delta, and the Delta Protection Commission as a representative body, have been responsive to the needs of Delta residents. Ecosystem restoration projects can be conducted under current agency authority: for example: California Fish and Game, U. S. Fish and Wildlife, Natural Resource Conservation Service, San Joaquin County Habitat Conservation Plan. A myriad of non-profit groups and governmental agencies have the resources and authority to conduct habitat restoration. These agencies and entities could succeed in their individual mandates to restore the Delta ecosystem if the SWP and CVP projects were operated lawfully.

Strategy 7.2: “Create a California Delta Ecosystem and Water Plan (CDEW) to ensure flexibility and consistency of action among state federal, and local entities.”

We object to this strategy as being unnecessary (see objections to 7.1 above).

Strategy 7.3: Finance the activities called for in the CDEW Plan through effective and transparent financing tools that minimize reliance on general fund appropriations.

This strategy places the cost of the CDEW plan directly on the backs of Delta landowners through illegal fees on in-Delta water use. The implication here is that current water rights will be voided by the CDEW to achieve financing objectives. This is an unacceptable strategy.

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In conclusion: As Roberts Island (south Delta) landowners, we object to the tenor and the details of this "Delta Vision Strategic Plan". It is a land and water grab, cloaked in the guise of ecosystem and tourism enhancement.

The description of the isolated facility on page 38 of the Fourth Draft Strategy is evidence enough that the Delta Vision has not been conceived with the best interests of the Delta in mind:

***"Export CVP and SWP contractors will pay for the capacity of a dual conveyance facility...dedicated to their benefit, and will control that capacity."***

We oppose this "Delta Vision Strategic Plan" project in its entirety for the reasons stated above. Thank you for the opportunity to comment.

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